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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,433	02/13/2002	Su-Mei Chen		7811

7590  
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TAIPEI,  
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03/13/2003

EXAMINER

SAWHNEY, HARGOBIND S

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/074,433

Applicant(s)

CHEN, SU-MEI

Examiner

Hargobind S Sawhney

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☒ Claim(s) 2, 4 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Objection*

1. Claim 4 is objected to because of the following informalities:

Line 2, "circuit board substrate" said should rephrased as -- said circuit substrate board -- to make this element referred back to that recited in the base Claim 1.

Line 3, "movement and flashing" should be rephrased as -- apparent movement of lights produced by their sequential actuation, and flashing of the lights --.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over (Japanese Patent Application No. JP 02000201793 A).

Regarding Claim 1, Ouro (Japanese Patent Application No. '793 A) discloses a display seat (Figures 1-3) comprising:

- a seat body 6 (Figures 2 and 3 and English translated abstract), a plurality of light emitting diodes (LEDs) 2 (Figures 2 and 3 and English translated abstract), a circuit substrate 1 (Figures 2 and 3 and English translated abstract);
- the seat body 6 being formed from a semi-transparent plastic material, and having a recess receiving the circuit substrate 1 (Figures 2 and 3 and English translated abstract);
- the circuit substrate 1 having LEDs 2 positioned on its surface; and
- the circuit substrate 1 further being connectable to a battery unit 5, and establishing electrical connection activating the LEDs 2 (Figures 2 and 3 and English translated abstract).

However, Ouro ('793 A) does not teach a seat body made from a transparent material, instead Ouro discloses the seat body made from a semi-transparent material.

It would have been an obvious matter of design choice to make use of transparent plastic or glass for forming a seat body, since the applicant has not disclosed that a transparent seat body solves any problem or is for a particular reason. It appears that the claimed invention would perform equally well with a transparent seat body. Further, use of either transparent or translucent plastics including acrylics is well known in the art.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over (Japanese Patent Application No. JP 02000201793 A) in view of Mizobe (US Patent No. 5,249,104).

Ouro ( '793 A) teaches a seat body having its bottom portion including a recess.

However, Ouro ( '793 A) does not teach the recess further having formed with cavities accommodating the LEDs.

On the other hand, Mizobe (US Patent No. 5,249,104) discloses a display unit A (Figure 1, column 3, line 60) comprising:

- a seat body 5A (Figure 1, column 3, line 60) having its bottom surface formed with cavities 6 (Figure 1, column 3, line 65) each accommodating an LED 3 (Figure 1, column 3, lines 43,44 and 61).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the seat body with a recess of Ouro ( '793 A) by providing cavities as taught by Mizobe ( '104) in the recess included in bottom surface of the seat body for the advantages and benefits of reducing the thickness if the device. The above-indicated benefits further reflect motivation of making the seat body fully luminous with direct light transmission into the transmitting medium well known in the prior art as evidenced by Lauschner (US Patent No. 6,443,593 B1).

#### ***Allowable Subject Matter***

5. Claims 2,4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record, including Ouro (Japanese Patent Application No. JP 02000201793 A), Mizobe (US Patent No. 5,249,104) and Lauschner (US Patent No. 6,443,593 B1), does not show or suggest the applicant's invention as claimed.

Specifically, the prior art of record does not disclose proper motivation for combining:

- a seat body having its top portion including shallow grooves as recited in Claim 2;
- a circuit board including a connecting circuit electronically controlling apparent movement and flashing of the lights from LEDs as recited in Claim 4; and
- Light emitting diodes (LEDs) mounted below the circuit substrate board, and generating light downwardly and toward a shelf below as recited in Claim 5.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Woy (U.S. Patent No. 5,865,516);

Doty (U.S. Patent No. 3,808,084);

Aihara et al. (Japanese Patent No. JP 05245031);

Takion (Japanese Patent No. JP 2001120416);

Saitou (Japanese Patent No. JP 405253044A);

Each of the above-indicated prior arts discloses a lighting apparatus comprising some of the claimed features claimed by the applicant.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 703-306-5909. The examiner can normally be reached on 7:30 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2956.

HSS  
March 7, 2003

  
Examiner: Hargobind S. Sawhney